

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

JAN 17 2013

**IN REPLY REFER TO:
1800B3-DW**

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Danny Langston
Sterling Communications, Inc.
219 Dodd Road
Ringgold, GA 30736-2958

In re: K239BD, Aberdeen, SD
Facility ID No. 148212
Notification of Cancellation of License
And Deletion of Call Letters

Dear Mr. Langston:

On November 14, 2012, we observed that our records indicated that FM Translator Station K239BD, Aberdeen, South Dakota, has been silent since at least September 2, 2011, and requested written clarification of the operating status of the Station which required a reply within thirty days.¹ Our letter stated: "Failure to respond to this letter within the specified time will result in adverse actions jeopardizing both the station's license and call letters." To date, we have not received a reply.

Based on the lack of a response to our status inquiry letter, we will consider Station K239BD to have been silent for more than 12 months from September 2, 2011. Section 312(g) of the Communications Act, 47 U.S.C. Section 312(g), provides that "if a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary." *See Implementation of Section 403(l) of the Telecommunications Act of 1996*, 11 FCC Rcd 16499 (1996); *see also* 47 C.F.R. Section 73.1740(c). Consequently, we find that the K239BD license has expired as a matter of law.

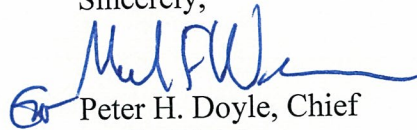
Accordingly, the Commission's public and internal databases will be modified to indicate that the license for referenced station EXPIRED as a matter of law at 12:01 a.m. on September 3, 2012, and we HEREBY DELETE the call sign K239BD. Additionally, we hereby dismiss as moot the pending covering license application (BLFT-20121102ACO).

Finally, we note that it is imperative to the safety of air navigation that any prescribed painting and illumination of the station's tower be maintained until the tower is dismantled. Accordingly, the owner of the tower where the referenced station's transmitting antenna is located is required, pursuant to 47 U.S.C. Section 303(q), to maintain the tower in the manner prescribed by our rules and the terms of

¹ See Letter to Danny Langston, Sterling Communications, Inc., Reference 1800B3-DW (MB Nov. 14, 2012).

the cancelled license. *See* 47 C.F.R. Sections 17.1 *et seq.* and 73.1213. *See also, Streamlining the Commission's Antenna Structure Clearance Procedure*, WT Docket No. 95-5, 11 FCC Rcd 4272 (1995).

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter H. Doyle", with a stylized flourish extending to the right.

Peter H. Doyle, Chief
Audio Division
Media Bureau